

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 30, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOUGLAS LEE CLARK,

Defendant.

No. 2:24-CR-00130-MKD

ORDER GRANTING STIPULATION
FOR PROTECTIVE ORDER AND
PROTECTIVE ORDER
REGARDING DISCOVERY AND
IDENTIFICATION OF MINOR
VICTIM OR WITNESS

ECF No. 32

Before the Court is the parties' Stipulation for Protective Order Regarding Identification of Minor Victim Pursuant to 18 U.S.C. § 3509, ECF No. 32. Given the nature of the allegations in this case, the parties stipulate to impose privacy protection measures pursuant to 18 U.S.C. § 3509. *See* ECF No. 32-1. The Court has reviewed the motion and the record and is fully informed. The Court finds good cause to grant the stipulation.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulation for Protective Order Regarding Identification of Minor Victim Pursuant to 18 U.S.C. § 3509, **ECF No. 32**, is **GRANTED**.

1 2. The privacy protection measures mandated by 18 U.S.C. § 3509(d),
2 which apply when a case involves a person under the age of eighteen years who is
3 alleged to be a victim of a crime of sexual exploitation, or a witness to a crime
4 committed against another person, apply to this case.

5 3. All persons acting in this case in a capacity described in 18 U.S.C. §
6 3509(d)(1)(B), shall:

7 a. Keep all documents that disclose the names, identities, or any
8 other information concerning minors in a secure place to which
9 no person who does not have reason to know their contents has
10 access;

11 b. Disclose such documents or the information in them that
12 concerns minors only to persons who, by reason of their
13 participation in the proceeding, have reason to know such
14 information;

15 c. Not permit Defendant himself to review discovery outside the
16 presence of defense counsel or a defense investigator;

17 d. Not permit Defendant to keep discovery in his own possession
18 outside the presence of defense counsel or a defense
19 investigator; and
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1 e. Not permit Defendant to keep, copy, or record the identities of
2 any minor or victim identified in discovery in this case.

3 4. All papers to be filed in Court that disclose the names or any other
4 information identifying or concerning minors shall be filed under seal without
5 necessity of obtaining a Court order, and that the person who makes the filing shall
6 submit to the Clerk of the Court:

7 a. The complete paper to be kept under seal; and

8 b. The paper with the portions of it that disclose the names or
9 other information identifying or concerning children redacted,
10 to be placed in the public record.

11 5. The parties and the witnesses shall not disclose minors' identities
12 during any proceedings connected with this case. The parties and witnesses will
13 refer to alleged minor victims or witnesses only by using agreed-upon initials or
14 pseudonyms (e.g., "Minor Victim 1"), rather than their bona fide names, in
15 motions practice, opening statements, during the presentation of evidence, in
16 closing arguments, and during sentencing.

17 6. The United States may produce discovery to the defense that discloses
18 the identity and images of the alleged minor victim or witness in this case in order
19 to comply with the United States' discovery obligations. Defendant, the defense
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1 team, Defendant's attorneys and investigators, and all of their externs, employees,
2 and/or staff members, shall keep this information confidential as set forth above.

3 7. This ORDER shall apply to any attorneys who subsequently become
4 counsel of record, without the need to renew or alter the ORDER.

5 8. This ORDER shall apply to the personal identifying information and
6 images of any minors who are identified over the course of the case, whether or not
7 such minors are known to the United States and/or Defendant at the time the
8 ORDER is entered by the Court.

9 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
10 and provide copies to all counsel.

11 **DATED** October 30, 2024.

12 *s/Mary K. Dimke*
13 MARY K. DIMKE
14 UNITED STATES DISTRICT JUDGE
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